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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,933	12/31/2001	Tommy Kristensen Bysted	042933/305182	5897

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EXAMINER	
DEAN, RAYMOND S	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/029,933	BYSTED ET AL.	
	Examiner	Art Unit	
	Raymond S. Dean	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see remarks filed June 22, 2006 with respect to the rejection(s) of claim(s) 1 and 4 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art Hamalainen et al. (5,729,541).

Hamalainen, which is in the same field of endeavor, teaches allocating a locally unique code to a destination mobile station, which is a temporary mobile identity (TMPI) (See Figure 6, Cols. 7 lines 10 – 14, lines 31 – 40). Hamalainen further teaches wherein the whole TMPI is included in each of bursts at a predetermined location therein to indicate to said mobile station that said mobile station is a target for downlink data (See Figure 6, Cols. 7 lines 10 – 14, lines 31 – 40, 9 lines 46 – 56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Vedrine with the indication method of Hamalainen for the purpose of informing the mobile stations about incoming packet data transmissions as taught by Hamalainen.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 2, and 4 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vedrine (US 6,707,808 B1) in view of Hamalainen et al. (5,729,541).

Regarding Claim 1, Vedrine teaches a method of wirelessly transmitting data signals to one of a plurality of mobile stations, each of which can sense the transmitted signal, the method comprising: transmitting a radio block, comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 53).

Vedrine does not teach allocating a locally unique code to a destination mobile station and wherein a whole of said code is included in each of said bursts at a predetermined location therein to indicate to said mobile station that said mobile station is a target for said radio block.

Hamalainen, which is in the same field of endeavor, teaches allocating a locally unique code to a destination mobile station (Figure 6, Cols. 7 lines 10 – 14, lines 31 – 40, TMPI is the code). Hamalainen further teaches wherein the a whole of said code is included in each of bursts at a predetermined location therein to indicate to said mobile station that said mobile station is a target for downlink data (Figure 6, Cols. 7 lines 10 – 14, lines 31 – 40, 9 lines 46 – 56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Vedrine with the indication method of

Hamalainen for the purpose of informing the mobile stations about incoming packet data transmissions as taught by Hamalainen.

Regarding Claim 2, Vedrine in view of Hamalainen teaches all of the claimed limitations recited in Claim 1. Hamalainen further teaches wherein said location is static (Figure 6, the TMPI will be in the same location).

Regarding Claim 4, Vedrine teaches á method of operating a mobile station for the reception of data signals, the method comprising: receiving a burst of a radio block, the radio block comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 53).

Vedrine does not teach receiving a locally unique code; extracting a code from a predetermined location in said burst and decoding said radio block if the extracted code matches said locally unique code; and wherein a whole of said code is included at the predetermined location to indicate to said mobile station that said mobile station is a target for said radio block.

Hamalainen teaches receiving a locally unique code (Figure 6, Cols. 7 lines 10 – 14, lines 31 – 40, 9 lines 46 – 56, TMPI is the code); extracting a code from a predetermined location in a burst and decoding the downlink data if the extracted code matches said locally unique code (Figure 6, Cols. 7 lines 10 – 14, lines 31 – 40, 9 lines 46 – 56, the bursts will be decoded to extract the TMPI, which is the code) and wherein a whole of said code is included at the predetermined location to indicate to said mobile station that said mobile station is a target for downlink data (Figure 6, Cols. 7 lines 10 – 14, lines 31 – 40, 9 lines 46 – 56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Vedrine with the indication method of Hamalainen for the purpose of informing the mobile stations about incoming packet data transmissions as taught by Hamalainen.

Regarding Claim 5, Vedrine in view of Hamalainen teaches all of the claimed limitations recited in Claim 4. Vedrine further teaches transmitting a radio block comprising a plurality of bursts (Column 5 lines 27 – 53). Hamalainen further teaches each burst containing said extracted code in a predetermined location (Figure 6).

Regarding Claim 6, Vedrine in view of Hamalainen teaches all of the claimed limitations recited in Claim 4. Vedrine further teaches a mobile station including receiving means and processing means (Column 5 lines 27 – 53, in order for the mobile station to perform these functions said mobile station must have a receiving and processing means thus this is an inherent characteristic).

Regarding Claim 7, Vedrine in view of Hamalainen teaches all of the claimed limitations recited in Claim 5. Vedrine further teaches a mobile station including receiving means and processing means (Column 5 lines 27 – 53, in order for the mobile station to perform these functions said mobile station must have a receiving and processing means thus this is an inherent characteristic).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vedrine (US 6,707,808 B1) in view of Hamalainen et al. (5,729,541), as applied to Claim 1 above, and further in view of Chillariga et al. (US 2001/0030956)

Regarding Claim 3, Vedrine in view of Hamalainen teaches all of the claimed limitations recited in Claim 1. Vedrine further teaches transmitting a further radio block, comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 53).

Vedrine in view of Hamalainen does not teach wherein the whole of said code is included in each of said bursts at another predetermined location therein to indicate that said mobile station may transmit in the next uplink radio block.

Chillariga teaches wherein the whole of said code is included in each of said bursts at another predetermined location therein to indicate that said mobile station may transmit in the next uplink radio block (Sections: 0028, 0079).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the bursts of Vedrine in view of Hamalainen to include the USF information taught by Chillariga for the purpose of providing dynamic channel allocation thus creating a wireless communication system that overcomes the communication problems resulting from interference, noise, fading, and other disturbances as taught by Chillariga.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Raymond S. Dean
August 24, 2006

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